

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
KATHERINE JOHNSTON, individually and as: :
Personal Representative of the Estate of :
JAMES R. JOHNSTON, deceased, and for the :
benefit of all distributees of JAMES R. : 23-CV-471 (VSB)
JOHNSTON, deceased, :
:
Plaintiff, :
:
-against- :
:
DONJON MARINE CO., INC. and the Tug X
Boat MARY ALICE, its tackle, appurtenances
and equipment *in rem*,
:
Defendant.

ORDER

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on January 19, 2023, (Doc. 1), and filed an affidavit of service on January 26, 2023, (Doc. 5). The deadline for Defendant to respond to Plaintiff's complaint was February 13, 2023. (*See* Doc. 5.) To date, Defendant has not appeared or responded to the complaint. Plaintiff, however, has taken no action to prosecute this case. Accordingly, if Plaintiff intends to seek a default judgment, she is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than March 3, 2023. If Plaintiff fails to do so or otherwise demonstrate that she intends to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: February 17, 2023
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a large, stylized "V" and "B".

VERNON S. BRODERICK
United States District Judge